THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

Writ Petition No.18585 of 2001

ORDER:

1 The grievance of the petitioner is that the respondents, without paying any compensation to him, are trying to demolish the structures for road widening.

2 While admitting the Writ Petition a Learned Judge by order dated 06.09.2001, directed the respondents not to interfere in any manner whatsoever with the petitioner's rights and possession of the premises forming part of the petitioner's retainable land at 'Chiran Palace' in old S.No.403, Road No.2, Banjara Hills, Hyderabad except to the extent of 519.05 Sq. Yards already notified and acquired by the third respondent under the Land Acquisition Act, 1894.

3 Though the Writ Petition is filed in 2001, no counter affidavit is filed on behalf of respondents 1, 2, 4 to 6. Third respondent filed counter affidavit alleging that it is the second respondent that has to take the appropriate action.

4 Since the property of the petitioner cannot be used for road widening unless it is acquired under relevant provisions of law, and compensation is paid to the petitioner, with a direction to the respondents not to interfere with the possession of the property of the petitioner i.e. premises forming part of the petitioner's retainable land at 'Chiran Palace' in old S.No.403, Road No.2, Banjara Hills, Hyderabad except to the extent of 519.05 Sq. Yards without taking recourse to due process of law for road widening programme, this Writ Petition is disposed of. No costs.

Justice C.Y.Somayajulu

23-10-2007

kvsn